



1/20

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Cardoso  
Serial No.: 10/659,008  
Filed: 09/10/2003  
For: Nasal Cannula  
Art Unit: 3743  
Examiner: Lopez

---

**AMENDMENT AND RESPONSE**

This communication is in response to a first office action with mail date of March 3, 2006, in which the Examiner has objected to claim 12, has rejected claims 2, 3, 5-7, 9, 10-11, 15-16, 18-19 and 21-28 under obviousness-type double patenting over claims of Cardoso '712, has rejected claims 4, 8, 12-14, 17 and 29 under obviousness-type double patenting over claims of Cardoso '712 in view of Landis et al. '852, has rejected claim 20 under obviousness-type double patenting over claims of Cardoso '712 in view of Roche, has rejected claims 2, 3, 9-11 under Section 102(e) as anticipated by Wilkie et al. '936 (Patent Appl. Publication), has rejected claims 4 and 12 under Section 103(a) as obvious over Wilkie et al. '936 in view of Landis et al. '852, has rejected claims 5-7 and 21 under Section 103(a) as obvious over Wilkie et al. '936 in view of

---

The undersigned certifies that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below.

Date

6/7/06

Thomas C. Saitta

*Thomas C. Saitta*

Fenn '292, has rejected claims 8, 13 and 14 under Section 103(a) as obvious over Wilkie et al. '936 in view of Landis et al. '852, has rejected claims 4 and 12 under Section 103(a) as obvious over Wilkie et al. '936 in view of Roche '538, and has rejected claims 23 and 24 under Section 103(a) as obvious over Wilkie et al. '936 in view of Fenn '292 and Bedi '635.

Please amend the application as follows: